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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,515	10/14/2005	Tadashi Endo	2005_1554A	1630
52349 7590 03/07/2008 WENDEROTH, LIND & PONACK L.L.P. 2033 K. STREET, NW SUITE 800 WASHINGTON, DC 20006				
EXAMINER RUDAWITZ, JOSHUA I				
ART UNIT		PAPER NUMBER		
3652				
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03/07/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/553,515

**Applicant(s)**

ENDO ET AL.

**Examiner**

JOSHUA I. RUDAWITZ

**Art Unit**

3652

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 47-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 47-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S508)
- Paper No(s)/Mail Date 1/11/2008
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 47-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Mimata et al. (U.S. Patent No. 6,579,057) [Previously published under US2001/0051092, on Dec. 13, 2001].

Mimata et al. discloses a method for feeding electronic components to be mounted onto a board, including from a component feed tray (cl. 4, ln. 39-41) in which electronic components 1 are arranged, picking up one of the electronic components by using component holding and suction pressure of a component suction and holding member 24 such that the one of the electronic components is sucked and held by the component suction and holding member, wherein the component holding and suction pressure is not lower than a suction pressure capable of sucking and holding the one of the electronic components, and is lower than a suction pressure capable of sucking and holding the component feed tray, as the tray is mounted to the machine, there would have to be a significant amount of vacuum pressure to lift the tray that would break the small electric components and therefore the pressure is high enough to pick the components up but not the tray; picking up the one of the electronic components

by using the component holding and suction pressure of the component suction and holding member, such that the one of the electronic components is sucked and held by the component suction and holding member, includes bringing the component suction and holding member into contact with the one of the electronic components by lowering the component suction and holding member after aligning the component feed tray with the component suction and holding member, creating suction pressure of the component suction and holding member such that the suction pressure reaches the component holding and suction pressure when the component suction and holding member starts ascending after being brought into contact with the one of the electronic components, and sucking and holding the one of the electronic components with ascent of the component suction and holding member (cl.4, ln. 8-13); determining a time for creating the suction pressure in consideration of an amount of time necessary for the suction pressure to reach the component holding and suction pressure from when the suction pressure is created by the component suction and holding member; creating the suction pressure of the component suction and holding member comprises creating the suction pressure of the component suction and holding member after the component suction and holding member is brought into contact with the one of the electronic components; determining a time for lowering the component suction and holding member according to a size or a weight of the one of the electronic components so as to prevent the one of the electronic components from leaping up from the component feed tray due to

the component suction and holding member being brought into contact with the one of the electronic components.

3. Claims 47 and 52 are rejected under 35 U.S.C. 102(b) as being anticipated by Stout (U.S. Patent No. 4,749,329).

Stout discloses a method for feeding electronic components to be mounted onto a board, comprising: from a component feed tray 61 in which electronic components 63 are arranged, picking up one of the electronic components by using component holding and suction pressure of a component suction and holding member 52 such that the one of the electronic components is sucked and held by the component suction and holding member, wherein the component holding and suction pressure is not lower than a suction pressure capable of sucking and holding the one of the electronic components, and is lower than a suction pressure capable of sucking and holding the component feed tray; the component holding and suction pressure is a suction pressure determined according to a size or a weight of the one of the electronic components (cl.2, ln. 46-65).

#### ***Response to Arguments***

4. Applicant's arguments filed 11/21/2007 have been fully considered but they are not persuasive.
5. Regarding the applicant's argument concerning the Stout and Mimata references and the limitations requiring a "component feed tray", the examiner respectfully

disagrees. There is nothing in the claim language that would limit the prior art to be non-encompassing of the limitations set forth in the claims.

6. Regarding the applicant's argument concerning the Mimata reference and the suction pressure, the examiner notes that a response has been treated in the rejection found above.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSHUA I. RUDAWITZ whose telephone number is (571)272-7856. The examiner can normally be reached on Monday - Friday, 7:30 A.M. - 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saul Rodríguez can be reached on 571-272-7097. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. I. R./  
Examiner, Art Unit 3652

/Saúl J. Rodríguez/  
Supervisory Patent Examiner, Art  
Unit 3652